

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SINGULARDTV, GMBH,

Plaintiff,

v.

ZACHARY LEBEAU and KIMBERLY  
JACKSON,

Defendants.

Case No. 1:21-cv-10130

**DEFENDANTS' PROPOSED  
LANGUAGE REGARDING MODIFIED  
TEMPORARY RESTRAINING ORDER**

WHEREAS, this Court entered an Order to Show Cause and Temporary Restraining Order dated December 1, 2021 (the “TRO”) (Dkt. No. 21) in which the Court instructed the Parties to “meet and confer regarding appropriate language for the Court to include in a modified TRO that would address restoring Plaintiff, its employees and contractors’ access to their email accounts or addresses”;

WHEREAS; the parties have met and conferred pursuant to the TRO;

WHEREAS; Plaintiff, by their counsel, proposed language that went well beyond the Court’s Order dated December 1, 2021. For example, Plaintiff requests access to the email accounts of ten (10) individuals, eight (8) of whom are past employees or contractors of the GmbH.

WHEREAS; the parties could not agree on the appropriate language to submit to the Court;

NOW, THEREFORE, Defendants, by their undersigned counsel, propose the following language to be included in the modified TRO:

Defendants are ORDERED to provide, or cause to be provided, by December 2, 2021 at 10:00 a.m., to Plaintiff, its current employees, and current contractors' full access to their SingularDTV GmbH email accounts (meaning, by way of example, inboxes, sent e-mails and all

other e-mail folders, folder structures, calendars or calendar entries, task lists, and/or all associated attachments and files);

It is FURTHER ORDERED that Defendants shall not access the email accounts of the GmbH, its employees, and contractors.

It is FURTHER ORDERED that Plaintiff, it's employees and contractors shall not access the email accounts of Defendants, SingularDTV, LLC, it's employees and contractors.

Dated: December 1, 2021  
New York, New York

Yours, etc.,

**NEIL L. POSTRYGACZ**  
**ATTORNEY AT LAW, P.C.**

By:           /NLP/ NP6923            
Neil L. Postrygacz, Esq.  
217 34<sup>th</sup> Street  
Brooklyn, New York 11232  
Telephone: (646) 642-7492  
Facsimile: (646) 514-1997

*Attorneys for Defendants*